



**NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
House Bill 890**

AMENDMENT NO. _____
(to be filled in by
Principal Clerk)

H890-ASA-62 [v.2]

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Amends Title [NO]
H890-CSTQf-34

Date _____, 2021

Senator Johnson

1 moves to amend the bill on page 26, lines 11-12
2 by inserting the following between those lines:

3 **"PART XXXI. GAME NIGHTS/RESIDENTIAL CENTERS**

4 **SECTION 31.1.** Part 4 of Article 37 of Chapter 14 of the General Statutes reads as
5 rewritten:

6 "Part 4. Game Nights.

7 **"§ 14-309.26. Game nights.**

8 (a) It is lawful for an exempt organization to conduct a game night at a qualified facility
9 in accordance with the provisions of this Part. Each regional or county chapter of an exempt
10 organization shall be eligible to conduct game nights in accordance with this Part independently
11 of its parent organization, provided that the regional or county chapter has been in continuous
12 existence for at least five years. It is lawful for persons to participate in a game night conducted
13 pursuant to this Part. It shall not constitute a violation of any State law to advertise a game night
14 conducted in accordance with this Part.

15 (a1) Notwithstanding subsection (a) of this section, an exempt organization that is exempt
16 from taxation under section 501(c)(3) of the Internal Revenue Code and operates a specialized
17 community residential center for individuals with developmental disabilities licensed pursuant
18 to G.S. 122C-23, may conduct a game night in accordance with this Part in a location that is not
19 a qualified facility if the exempt organization has been issued a special one-time permit under
20 G.S. 18B-1002(a)(5) to be used for the game night.

21 ...

22 **"§ 14-309.27. Permit procedure.**

23 (a) An exempt organization shall not operate a game night without first obtaining a permit
24 as provided by this Part. The application for a game night permit shall be on a form prescribed
25 by the Alcohol Law Enforcement ~~Branch~~ Division of the Department of Public Safety and shall
26 be submitted to the Alcohol Law Enforcement Headquarters at least 30 days in advance of the
27 date for the game night event.

28 (b) Each application for a permit under this Part shall contain the following information:

29 ...

30 (7a) The location of the facility at which the event will be held.

31 (8) The area of the ~~premises~~ facility in which the event will be held.



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1 (c) A separate application shall be required for each game night event. A fee of one
2 hundred dollars (\$100.00) shall be charged for each permit. The permit fees assessed under this
3 Part are payable to the Alcohol Law Enforcement ~~Branch~~ Division of the Department of Public
4 Safety and shall be collected and used by the Alcohol Law Enforcement ~~Branch~~ Division to
5 defray the costs of issuing game night permits. The permit shall be displayed at the event. A
6 qualified facility shall not be subject to civil or criminal liability for violating this Part if the
7 exempt organization provides the facility with a permit for the game night event.

8 **"§ 14-309.28. Limits on game night events.**

9 The following limitations apply to game night events:

10 ...

- 11 (5) ~~A qualified facility, as defined in G.S. 18B-1000(5a), facility authorized to~~
12 host a game night under this Part shall not host more than two game nights in
13 any calendar month.

14 ...

15 **"§ 14-309.35. Registration, possession, and transportation of gaming equipment.**

16 (a) Notwithstanding the provisions of G.S. 14-295 or G.S. 14-297, it shall be lawful to
17 possess or transport gaming tables and other gaming equipment, if the possession or
18 transportation is solely for use in game night events conducted pursuant to this Part. Gaming
19 tables and other gaming equipment possessed or transported pursuant to this Part shall not be
20 subject to seizure pursuant to G.S. 14-298 if they have been registered pursuant to the provisions
21 of this Article and are used solely in game night events conducted pursuant to this Part.

22 (b) A gaming table or other gaming equipment possessed or transported for use in a game
23 night event must be registered with the Alcohol Law Enforcement ~~Branch~~ Division of the
24 Department of Public Safety and must have a sticker affixed with a unique number. A fee of
25 twenty-five dollars (\$25.00) shall be charged for each sticker and each sticker shall be renewed
26 annually. The sticker fees assessed under this section are payable to the Alcohol Law
27 Enforcement ~~Branch~~ Division of the Department of Public Safety and shall be collected and used
28 by the Alcohol Law Enforcement ~~Branch~~ Division to defray the costs of registering the gaming
29 tables and gaming equipment. The Alcohol Law Enforcement ~~Branch~~ Division may inspect,
30 without prior notice, any gaming table or other gaming equipment used in a game night event at
31 any time immediately prior to or during the game night event. Use of a gaming table or gaming
32 equipment in a game night event that does not comply with the requirements of this subsection
33 shall be a Class 1 misdemeanor.

34 **"§ 14-309.36. Permit procedure for game night vendors.**

35 (a) No person, firm, or corporation may receive compensation for providing gaming
36 tables or gaming equipment for use in a game night without first obtaining a permit as provided
37 by this section. The application for a game night vendor permit shall be on a form prescribed by
38 the Alcohol Law Enforcement ~~Branch~~ Division of the Department of Public Safety and shall be
39 submitted to the Alcohol Law Enforcement Headquarters.

40 (b) A fee of two thousand five hundred dollars (\$2,500) shall be charged annually for
41 each permit. The permit fees assessed under this section are payable to the Alcohol Law
42 Enforcement ~~Branch~~ Division of the Department of Public Safety and shall be collected and used
43 by the Alcohol Law Enforcement ~~Branch~~ Division to defray the costs of issuing game night

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1 vendor permits and ensuring compliance with this section. The game night vendor permit shall
2 be displayed at any event the game night vendor conducts.

3 (c) The Alcohol Law Enforcement ~~Branch~~ Division shall deny a permit to a person, firm,
4 or corporation that meets any of the following disqualifying conditions:

5 (1) Has a conviction for any violation of State or federal gambling laws within
6 the five years prior to the date of application.

7 (2) Has pending charges for any violation of State or federal gambling laws.

8 (3) Is subject to an active criminal or civil court order prohibiting involvement in
9 gambling activities.

10 (4) Has a conviction for any felony.

11 ...

12 (e) All gaming tables and gaming equipment owned or possessed by a game night vendor
13 must be registered pursuant to G.S. 14-309.35. The Alcohol Law Enforcement ~~Branch~~ Division
14 of the Department of Public Safety shall inspect the gaming tables and equipment of each game
15 night vendor at least one time per calendar year and may conduct any additional inspections
16 reasonably necessary to ensure compliance with G.S. 14-309.35 and this section. Inspections of
17 gaming tables and equipment shall occur (i) on the premises of a game night event that the game
18 night vendor has been employed to conduct, (ii) immediately prior to or during the game night
19 event, (iii) at locations, times, and dates chosen by the Alcohol Law Enforcement ~~Branch~~,
20 Division, and (iv) without prior notice to the game night vendor or any party that has obtained a
21 permit pursuant to G.S. 14-309.27.

22"

23 **SECTION 31.2.** This Part becomes effective October 1, 2021, and applies to game
24 nights conducted on or after that date.";

25
26 And by renumbering the remaining Parts and sections accordingly.

SIGNED _____
Amendment Sponsor

SIGNED _____
Committee Chair if Senate Committee Amendment

ADOPTED _____ FAILED _____ TABLED _____